

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition –PJP –GADWAL -Mahabubnagar District – Atmakur (Mandal) Nandimalla (Village) – O.P.No.86/1989 - Sanction of decretal charges of **Rs.26,174/-** - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 914

DATE:25.11.2009

Read:

- 1) From the Special Collector (LA) Bheema Project, Mahabubnagar District
Lr.No.E2/PJP/315/2009, dt:30/06/2009.
- 2) From the Secy.to CCLA, AP, Hyd Lr.No.SRP4/622/09, Dated:31.10.09.

O R D E R:

The Secy.to CCLA, AP, Hyderabad has informed that the Special Collector, Land Acquisition, Bheema Project, Mahabubnagar District has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.86/1989 pertaining to Nandimalla (V) Atmakur (M) of Mahabubnagar District. The then Special Dy.Collector, LA, PJP, Gadwal had acquired the land to an extent of Ac.0.15 gts in the limits of Nandimalla (V) for the purpose of Excavation of PJP left flank vide Award No.21/1987, dt:22.06.1987 by fixing the market value @Rs.5,000/- per acre. Aggrieved with the market value awarded by the LAO, the awardees have filed petitions U/s.18(1) of the L.A.Act with a request to refer the matter to the Civil Court for adjudication. On making references U/s.18 of L.A.Act to the Lower Court, the Sr.Civil Judge, Gadwal had delivered the judgment on 16.09.1999 and enhanced the market value from Rs.6,000/- to Rs.17,000/- per acre for Dry lands. Aggrieved with the market value enhanced by the Lower Court, the Special Deputy Collector, LA Unit, PJP, Gadwal has filed appeal before the Hon'ble High Court of A.P, Hyderabad. The Hon'ble High Court of A.P, Hyd has disposed the appeal on 06.08.2008 filed by the LAO/SDC, LA Unit, PJP, Gadwal by confirming the judgment of the Lower Court on 30.11.2004 in A.S.No.232/2004.

- 2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.26,174/- (Rupees Twenty six thousand one hundred and seventy four only)** in respect of O.P.No.86/1989 pertaining to Nandimalla (V) Atmakur (M) of Mahabubnagar District subject to verification whether the reference under section.18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate actions should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The expenditure sanctioned in para (2) above shall be debitable to following Head of Account under "4701- SMJH – 01 – Major Irrigation – M.H.122 – Jurala Project G.H.11 – NSP – S.H (27) – Canals and Distributaries - 530 – Major works 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the proposal requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.3014/F2(2)/2009-1, dated:07.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, Bheema Project, Mahabubnagar.

The Chief Engineer, MBNR, Jalasoudha Buildings, Erramanzil, Hyderabad.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.17759/LA.III(A2)/2009

SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER